

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PETER REGINALD WRIGHT,

Defendant.

2:05-cr-00377-RCJ-LRL-1

ORDER

A jury convicted Defendant Peter Reginald Wright of one count of possession of cocaine with intent to distribute. The Court of Appeals affirmed. Defendant filed six post-judgment motions, which the Court denied. Defendant appealed, and the Court of Appeals remanded for the limited purpose of determining whether a certificate of appealability should issue under 28 U.S.C. § 2253(c)(2) and Appellate Rule 22(b) with respect to a motion in which Defendant asked the Court for a “post-*Daubert*” hearing under the Ex Post Facto Clause. The Court denied the motion as untimely, precluded, and without merit. The Court of Appeals also denied a certificate of appealability.

Four motions are pending before the Court. First, Defendant has filed a motion for a status check as to several previous motions that the Court has since adjudicated. That motion is moot. Second, Defendant has filed a motion ex parte asking the Court to reconsider its order denying a certificate of appealability and denying several other motions. The Court declines to reconsider. Furthermore, the motion should not have been filed ex parte, and the Court of Appeals has dismissed the appeal of that order for failure to prosecute after also noting that the

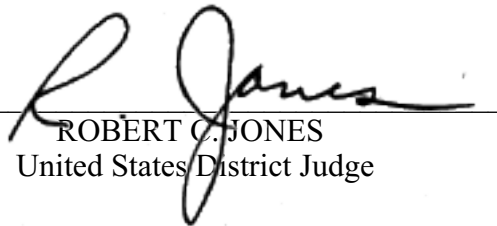
1 appeal was frivolous. Third, Defendant has filed a motion ex parte asking the Court to modify
2 his term of imprisonment. The Court denies that motion, both because it should not have been
3 filed ex parte and because a separate, appropriate motion is pending. Fourth, Defendant has filed
4 a motion ex parte asking the Court to reduce his sentence under Amendment 782 of the U.S.
5 Sentencing Guidelines. The Court has addressed that motion in Order No. 219 and will consider
6 it in due course.

7 **CONCLUSION**

8 IT IS HEREBY ORDERED that the Motions (ECF Nos. 206, 207, 208) are DENIED.

9 IT IS SO ORDERED.

10 Dated this 9th day of January, 2015.

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13 ROBERT C. JONES
14 United States District Judge
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